

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JEFFERY J. DAVIS,)
Plaintiff,) Case No. 3:08-0333
v.) Judge Nixon
MICHAEL J. ASTRUE,) Magistrate Judge Knowles
Commissioner of Social Security,)
Defendant.)

ORDER

Magistrate Judge Knowles issued a Report and Recommendation ("Report") (Doc. No. 11) recommending that this case be dismissed without prejudice for failure to prosecute, per Federal Rule of Civil Procedure 41(b). Plaintiff has not filed a motion for judgment in this case. Accordingly, the Court hereby **ACCEPTS** the Magistrate's Report and **DISMISSES** this action **without prejudice**.

It is so ORDERED.

Entered this 10th day of December, 2009.



JOHN T. NIXON, SENIOR JUDGE
UNITED STATES DISTRICT COURT